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Subject: LEAF

The EQB beneficial use determination is based on Agremax not exceeding the RCRA toxicity characteristic for heavy metals, as detailed in a 2007 study and report by the Puerto Rico legislature which concluded that Agremax was non-toxic and thus appropriate for beneficial reuse. It should be noted that concerns were raised by the EPA Science Advisory Board on the overly broad use of the toxicity characteristic leaching procedure in evaluating coal combustion residues for beneficial use applications, and that new test methods are currently undergoing inter-laboratory validation. However, EPA has no plan to replace the regulatory uses of the toxicity characteristic leaching procedure with the new test methods. Rather, once validated, EPA intends for the new test methods to be used in situations where the toxicity characteristic leaching procedure is not required or best suited, and where waste management or reuse conditions are known, to provide an estimate of release tailored to a particular environmental scenario or defined range of conditions.